



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1634

In re

Patent Application of

Eric Henderson, et al.

Application No. 09/929,865

Confirmation No.: 8708

Filed: August 14, 2001

Examiner: Betty J. Forman

“NANOSCALE MOLECULAR ARRAYER”

I, Leslie Lindsay Smith, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

L. L. Smith
Signature

25 Sept - 2003
Date of Signature

TERMINAL DISCLAIMER

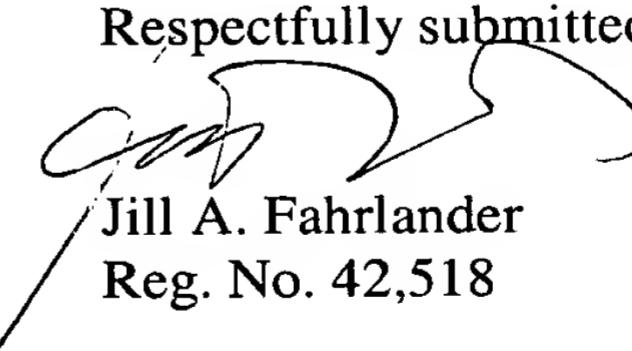
Commissioner for Patents
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Sir:

Transmitted herewith is a Terminal Disclaimer for the above-titled patent application along with a check in the amount of \$110.00 in payment of the fee required under 37 CFR 1.20(d).

Charge or credit Deposit Account No. 50-0842 with any shortage or overpayment of the above fee. A duplicate of this sheet is enclosed.

Respectfully submitted,


Jill A. Fahrlander
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File No. 016348-9005
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LL Smith
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**TERMINAL DISCLAIMER TO OBTAIN DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**

Commissioner for Patents
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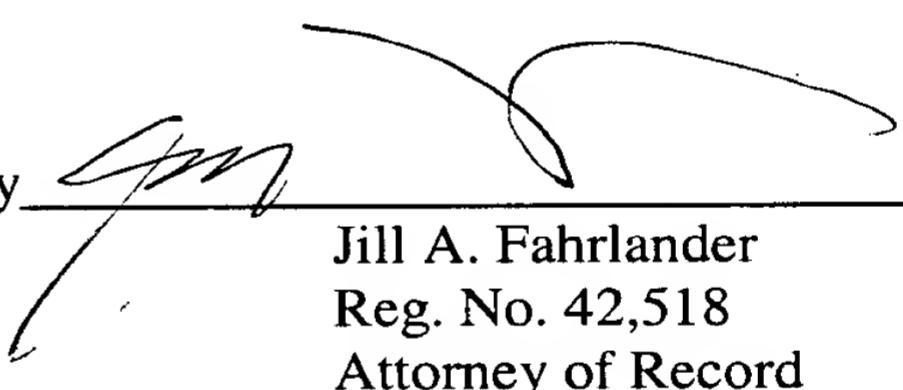
Sir:
BioForce Nanosciences, Inc., located at 2901 South Loop Drive Ames, IA 50010 (hereinafter "Assignee"), by its undersigned attorney of record, represents that it is the owner of the entire interest in U.S. Patent Application Serial No. 09/929,865 (hereinafter "said Application") by virtue of an assignment recorded June 26, 2002, at Reel 012830, Frames 0499. Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said Application, beyond the expiration date of the full statutory term of U.S. Patent No. 10/128,727 (hereinafter "said U.S. Patent"). Assignee hereby agrees that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to said U.S. Patent. This agreement shall run with any patent granted on said Application and be binding upon the grantee, its successors or assigns. In

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The undersigned is empowered to act on behalf of Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: September 29, 2003

By 

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cc: Docketing

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